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February 7, 2022

VIA ECF & E-MAIL

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Judge
Mitchell H. Cohen U.S. Courthouse
400 Cooper Street, 4th Floor
Camden, New Jersey 08101

**Re: The Diocese of Camden, New Jersey
Chapter 11 Case No. 20-21257 (JNP)**

Dear Judge Poslusny:

This office serves as counsel to certain parishes, schools, and missions (collectively, the “Parishes”) in the above-referenced matter. Please accept this correspondence to provide information relating to the status of certain discovery issues.

I conferred with Committee counsel regarding issues relating to the subpoenas and during discussions, advised Committee counsel that the discovery requests are overly burdensome and irrelevant to the proceedings.

On January 25, 2022, The Official Committee of Tort Claimant Creditors (the “Committee”) served the Parishes with seventy-three (73) Rule 30(b)(6) subpoenas seeking depositions and information relating to a proposed settlement entered by and between The Diocese of Camden, New Jersey and certain insurance companies. I have attached as **Exhibit A** the “Document Requests” attached to each of the subpoenas as well as **Exhibit B**, which lists the “Topics for Examination” and requests that each parish designate a 30(b)(6) witness for depositions.¹ A list identifying each entity that received a subpoena and the proposed return date of the deposition is attached as **Exhibit C**.

The 73 depositions were scheduled over six days, including twelve that are scheduled for Saturday, February 12, 2022; many are set for the same date and time. The Committee’s

¹ The Court may recall that a request had been made for the parishes to cooperate and search for forgotten, overlooked or missing policies for review of by an insurance archeologist. The parishes cooperated regarding that request and every parish was provided a questionnaire relating to that inquiry.

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haphazard and overlapping scheduling demonstrates that the discovery is not anticipated to reveal anything material.

The parishes were not involved in the insurance process under the procedures established with the Diocese to process claims. The claims processing done by the Diocese is paid for by the parishes as a part of the insurance program participation. As such, no documents exist, and no representative will have discoverable information.

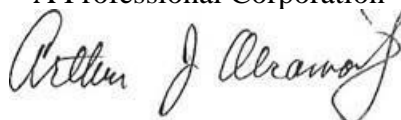
As to **Exhibit A** Document Requests, 1-5, the parishes were not involved in the IVCP Process. All IVCP settlements were processed by Camille Biros and her team at Feinberg's office, and if a determination was made and then accepted by the victim by signing a Release, the Diocese's Finance Office would wire the funds to Feinberg's office, which would distribute the funds to the victim. A packet would then be sent to Porter & Curtis. No parishes had any input at all vis-à-vis the IVCP. As to **Exhibit A** Document Requests, 7-15, aside from privileged communications, the response is that there is none.

As to **Exhibit B** Topics for Examination, the parish representatives would have no knowledge of the information requested in topics 1-12, aside from privileged communications. The settlement with the insurers was a mediated settlement between the Diocese and the insurers. The Diocese is the insured party, and the parishes are named as additional insured parties. There is nothing that the parishes can add to the value of the insurance settlement or the process itself. The Committee is requesting a separate certification from each of the 73 parties upon whom it served a subpoena. The parishes propose that Father Hughes, as an authorized Trustee under state law for each of the parishes, provide a certification that represents that it is being signed on behalf of the 73 subpoenaed parties to the effect that they do not have documents or information regarding the information sought in the subpoenas. After numerous emails with Committee counsel, the sticking point is whether Father Hughes can sign a single certification (which the subpoenaed parties advocate) or be required to sign 73 separate, identical certifications on behalf of each of the subpoenaed parties which is the Committee's position. This certification would be in lieu of providing documents or witnesses as requested in the subpoenas.

This Court is aware of the process in reaching the settlement with the insurers. The Diocese is the insured party, and the parishes are named as additional insured entities. The Committee's request is overly burdensome, would be costly and vexatious. Moreover, the Court must question the value and relevance of the individual certifications. The requests have not been proposed in good faith.

Thank you for the Court's consideration.

Respectfully submitted,
SHERMAN, SILVERSTEIN, KOHL, ROSE & PODOLSKY, P.A.
A Professional Corporation

A handwritten signature in black ink, appearing to read "Arthur J. Abramowitz", is written over a light gray circular stamp.

ARTHUR J. ABRAMOWITZ

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cc: All parties receiving ECF Notice (via ECF)
Jeffrey Sponder, Esq. (via ECF & e-mail)
Lauren Bielskie, Esq. (via ECF & e-mail)
Brent Weisenberg, Esq. (via ECF & e-mail)
Jeffrey Prol, Esq. (via ECF & e-mail)
Michael A. Kaplan, Esq. (via ECF & e-mail)
John S. Mairo, Esq. (via ECF & e-mail)
Rachel A. Parisi, Esq. (via ECF & e-mail)
Richard D. Trenk, Esq. (via ECF & e-mail)
Robert Roglieri, Esq. (via ECF & e-mail)

Exhibit “A”

DOCUMENT REQUESTS

1. From June 25, 2018 to the present, all Communications between You and the Diocese, the Roman Catholic Archdiocese of Newark, the Diocese of Metuchen, the Diocese of Paterson, and/or the Diocese of Trenton relating to the IVCP, including but not limited to finding for settlement payments agreed to under the IVCP, and insurance liability carriers in connection with the IVCP.

2. From June 25, 2018 to the present, all Documents relating to settlement payments directly by You in connection with the IVCP.

3. From June 25, 2018 to the present, all Documents relating to Your direct efforts to pursue insurance proceeds from the Insurers in connection with the IVCP.

4. From June 25, 2018 to the present, all Communications with the Diocese in connection with the IVCP, including but not limited to, the valuation of sexual abuse claims, settlements reached, and settlement payments pursuant to the IVCP.

5. From June 25, 2018 to the present, all Communications by You with the Insurers in connection with the IVCP, including but not limited to, the valuation of sexual abuse claims, settlements reached, and settlement payments pursuant to the IVCP.

6. All Communications between You and the Diocese relating to the Proposed Sale, Proposed Settlement, valuation of Abuse Claims, and valuation of Insurance Policies.

7. All Communications between You and the Other Catholic Entities relating to the Proposed Sale, Proposed Settlement, valuation of the Abuse Claims, and valuation of the Insurance Policies.

8. All Communications between You and the Diocese and/or any Other Catholic Entity relating to which Sexual Abuse Survivor Proofs of Claim filed in this Chapter 11 Case are attributable to You.

9. All Communications between You and Roux Associates, or any other consultant, relating to the valuation of Abuse Claims, preparation of the Motion, the Proposed Settlement, and/or the Proposed Sale.

10. All Documents relating to Your valuation of each Abuse Claim.

11. All Documents relating to Your analysis of the availability of insurance proceeds under each of the Insurance Policies to pay Abuse Claims.

12. All drafts of the Proposed Settlement agreement You exchanged with any of the Insurers and/or the Debtor.

13. All Documents relating to Your determination of which Abuse Claims trigger, or potentially trigger coverage, under each of the Insurance Policies.

14. All Communications between You and any Insurer(s) relating to the Abuse Claims, the Proposed Settlement, the Proposed Sale, and any defenses to coverage that the Insurers have asserted in connection with the Abuse Claims.

15. All Documents and Communications concerning Your analysis relating to the reasonableness of the Proposed Settlement and/or the Proposed Sale, including but not limited to, the releases required to be provided to the Insurers under the Proposed Settlement.

Exhibit “B”

SCHEDULE B

TOPICS FOR EXAMINATION

1. The negotiation, formulation, terms, and drafting of the Proposed Settlement and Proposed Sale.

2. Your analysis relating to the reasonableness of the Proposed Settlement and/or Proposed Sale, including but not limited to, the releases required to be provided to the Insurers pursuant to the Proposed Settlement.

3. Communications between You and the Debtor relating to the Proposed Sale, Proposed Settlement, valuation of Abuse Claims, and valuation of the Insurance Policies.

4. Your analysis of which Sexual Abuse Survivor Proofs of Claim filed in this Chapter 11 Case are attributable to You.

5. Communications between You and the Diocese relating to which Sexual Abuse Survivor Proofs of Claim filed in this Chapter 11 Case are attributable to You.

6. Your valuation of each Abuse Claim.

7. The use of scaling factors, mitigating factors, and/or aggravating factors to value the Abuse Claims.

8. Your reliance on other sexual abuse cases, settlements, and verdicts to value the Abuse Claims.

9. Your analysis of the value of the Insurance Policies.

10. The limits provided by the Insurance Policies.

11. Your determination of which Abuse Claims trigger, or potentially trigger, coverage under each of the Insurance Policies (if any).

12. Communications between You and any Insurer(s) relating to the value of the Insurance Policies, the value of the Abuse Claims, and any defenses to coverage that the Insurers have asserted in connection with the Abuse Claims.

13. Your analysis of any defenses to coverage the Insurers have asserted in connection with the Abuse Claims.

14. Communications between You and the Debtor, the Other Catholic Entities, the Insurers, EisnerAmper, Porter & Curtis, or any other consultant in preparation for, or in connection with, this deposition.

Exhibit “C”

Diocese of Camden, New Jersey - Parish/School Deposition Dates

<u>Parish/School</u>	<u>Date</u>
Archbishop Damiano School	February 10,2022 at 10:00 am
Bishop James T. McHugh Regional School	February 15,2022 at 10:00 am
Camden Catholic High School	February 10,2022 at 10:00 am
Catholic Community o1 of Christ Our Light, Cherry Hill, NJ	February 10,2022 at 10:00 am
Catholic Community of the Holy Spirit, Mullica Hill, NJ	February 10,2022 at 10:00 am
Christ the Good Shepard Parish, Vineland, NJ	February 10,2022 at 10:00 am
Christ the King Catholic Church, Haddonfield, NJ	February 10,2022 at 10:00 am
Christ the Redeemer Parish, Atco, NJ	February 10,2022 at 10:00 am
Church of Our Lady of the Lakes, Collings Lakes, NJ	February 11,2022 at 10:00 am
Church of Saint Elizabeth Ann Seton, Absecon, NJ	February 10,2022 at 10:00 am
Church of the Holy Family, Washington Township, NJ	February 10,2022 at 2:00 pm
Divine Mercy Parish, Vineland, NJ	February 10,2022 at 10:00 am
Holy Angels Parish, Woodbury, NJ	February 10,2022 at 2:00 pm
Holy Child Parish, Runnemede, NJ	February 10,2022 at 2:00 pm
Holy Eucharist Parish, Cherry Hill, NJ	February 10,2022 at 2:00 pm
Holy Spirit High School	February 10,2022 at 2:00 pm
Holy Trinity Parish, Margate, NJ	February 10,2022 at 2:00 pm
Infant Jesus Parish, Woodbury Heights, NJ	February 10,2022 at 2:00 pm
Mary, Mother of Mercy Parish, Glassboro, NJ	February 10,2022 at 2:00 pm
Mary Queen of All Saints Parish, Pennsauken, NJ	February 10,2022 at 2:00 pm
Mater Ecclesiae Chapel, Inc.	February 11,2022 at 10:00 am
Most Precious Blood Parish, Collingswood, NJ	February 11,2022 at 10:00 am
Notre Dame De La Mer Parish, Wildwood, NJ	February 11,2022 at 10:00 am
Our Lady of Guadalupe Parish, Lindenwold, NJ	February 11,2022 at 10:00 am
Our Lady of Hope Parish, Blackwood, NJ	February 11,2022 at 10:00 am
Our Lady of Peace Parish, Monroe Township, NJ	February 11,2022 at 10:00 am
Our Lady of Perpetual Help Parish, Galloway, NJ	February 11,2022 at 10:00 am
Our Lady of the Blessed Sacrament Parish, Newfield, NJ	February 11,2022 at 10:00 am
Parish of All Saints, Millville, NJ	February 11,2022 at 2:00 pm
Parish of Saint John Neumann, North Cape May, NJ	February 11,2022 at 2:00 pm
Parish of Saint Monica, Atlantic City, NJ	February 11,2022 at 2:00 pm
Parish of Saint Michael the Archangel, Franklinville, NJ	February 11,2022 at 2:00 pm
Parish of the Cathedral of the Immaculate Conception, Camden, NJ	February 11,2022 at 2:00 pm
Parish of the Holy Cross, Bridgeton, NJ	February 11,2022 at 2:00 pm
Pope Paul VI High School, Haddon Township, NJ	February 12,2022 at 10:00 am
R.C. Church of the Incarnation, Township of Mantua, NJ	February 12,2022 at 10:00 am
Saint Andrew Kim Korean Catholic Mission, Inc.	February 12,2022 at 10:00 am
Saint Brendan the Navigator Parish, Avalon, NJ	February 12,2022 at 10:00 am
Saint Bridget's Catholic Church, Glassboro, NJ	February 12,2022 at 10:00 am
Saint Clare of Assisi Parish, Gibbstown, NJ	February 12,2022 at 2:00 pm
Saint Damien Parish, Ocean City, NJ	February 12,2022 at 2:00 pm
Saint Gabriel the Archangel Parish,Carney's Point, NJ	February 12, 2022 at 2:00 pm

Saint Gianna Beretta Molla Parish, Northfield, NJ Saint	February 12, 2022 at 2:00 pm
Joachim Parish, Bellmawr, NJ Saint Joseph High School	February 12, 2022 at 2:00 pm
Saint Joseph the Worker Parish, Haddon Township, NJ	February 12, 2022 at 2:00 pm
Saint Joseph's Catholic Church, Sea Isle City, NJ Saint	February 12, 2022 at 2:00 pm
Mary of Mount Carmel Parish, Hammonton, NJ Saint Mary's	February 12, 2022 at 2:00 pm
Church, Gloucester, NJ Saint Mary's R.C. Church, Delaware	February 14, 2022 at 10:00 am
Township, NJ Saint Peter's Catholic Church, Merchantville,	February 14, 2022 at 10:00 am
NJ Saint Rose of Lima, Haddon Heights, NJ Saint Simon	February 14, 2022 at 10:00 am
Stock Parish, Berlin, NJ Saint Theresa of Calcutta Parish,	February 14, 2022 at 10:00 am
Collingswood, NJ Saint Vincent De Paul Parish, Mays	February 14, 2022 at 10:00 am
Landing, NJ Saints Peter and Paul Parish, Washington	February 14, 2022 at 10:00 am
Township, NJ Saint Andrew the Apostle's R.C. Church,	February 14, 2022 at 10:00 am
Gibbsboro, NJ St. Joseph Child Development Center, Inc.	February 14, 2022 at 2:00 pm
St. Joseph Pro-Cathedral, Camden, NJ	February 14, 2022 at 2:00 pm
St. Joseph's Catholic Church, Camden, NJ	February 14, 2022 at 2:00 pm
St. Joseph's Church, Somer's Point, NJ	February 14, 2022 at 2:00 pm
St. Padre Pio Parish, Vineland, NJ	February 15, 2022 at 2:00 pm
St. Stephen's R.C. Church, Pennsauken, NJ	February 14, 2022 at 2:00 pm
St. Thomas' Catholic Church, Brigantine, NJ	February 14, 2022 at 2:00 pm
St. Yi Yun Il John Korean Catholic Mission, NJ	February 11, 2022 at 2:00 pm
The Church of Our Lady of Sorrows, Linwood, NJ	February 14, 2022 at 2:00 pm
The Church of Our Lady of the Angels, Cape May Court House, NJ	February 15, 2022 at 10:00 am
The Church of Our Lady, Star of the Sea, Cape May, NJ	February 15, 2022 at 10:00 am
The Church of Saint Katherine Drexel, McKee City, NJ	February 15, 2022 at 10:00 am
The Church of St. Charles Borromeo Parish, Washington Twp., NJ	February 15, 2022 at 10:00 am
Th Church of the Sacred Heart	February 15, 2022 at 10:00 am
The Church of St. Thomas More, Cherry Hill, NJ	February 15, 2022 at 10:00 am
The Parish of St. Maximilian Kolbe, Marmora, NJ	February 12, 2022 at 10:00 am
	February 12, 2022 at 10:00 am
	February 15, 2022 at 2:00 pm
	February 15, 2022 at 2:00 pm